



DRAFT WORK PLAN FOR THE 2023-2024 INTERIM



STATE-TRIBAL RELATIONS
INTERIM COMMITTEE
(STRC)

FOR DISCUSSION ON JULY 19, 2023
PREPARED BY CASEY PALLISTER

STRC WORK PLAN 2023-2024 DRAFT

HISTORY OF THE STATE-TRIBAL RELATIONS COMMITTEE

5-5-229, MCA, establishes the STRC and tasks it with the following responsibilities:

- (1) acting as a liaison with tribal governments;
- (2) encouraging state-tribal and local government-tribal cooperation;
- (3) conducting interim studies as assigned; and
- (4) proving recommendations and a report, if one is written, for studies completed by the committee.

Perhaps the most important responsibility of the STRC is to act as a liaison between the state and the eight tribal governments in Montana. This responsibility has been part and parcel of the work of the Committee since its inception in 1977 as the Committee on Indian Legal Jurisdiction. That Committee was charged with meeting with the various Indian tribes to identify common bonds between Indians and non-Indians and to propose legislation for the mutual benefit of both groups.

The Committee's major recommendation to the 1979 Legislature was the creation of a select committee on Indian affairs to be followed by a permanent committee if the 1981 Legislature felt the select committee proved valuable in improving Indian/non-Indian relations.

The 1979 Legislature accepted the recommendation and created the Select Committee on Indian Affairs. However, although subsequent Legislatures recognized the importance of the Committee's work, there was a reluctance to create a permanent committee.

Finally, in 1989, the Committee on Indian Affairs was established as a permanent, statutory committee. In 1999, the Legislature passed Senate Bill No. 11 (SB 11) that reorganized the interim committee structure by consolidating committees and establishing permanent interim committees with membership drawn from specific session standing committees. SB 11 eliminated the Committee on Indian Affairs and folded its responsibilities into the newly created Law, Justice, and Indian Affairs Interim Committee (LJIAC).

The LJIAC was selected to serve as the forum for state-tribal relations because many of the issues affecting state-tribal relations would most likely be addressed by the House and Senate Judiciary Committees. The membership of the LJIAC was drawn from these committees.

At the same time, the Coordinator of Indian Affairs (a position created by the Legislature in 1951 and appointed by the governor) was circulating a proposal to create a Commission on Indian Affairs that would be attached to the Executive Branch. This proposal eventually became a study resolution assigned to the LJIAC.

At the end of the 1999-2000 interim, after months of study, the LJIAC recommended that because of a lack of general support for the idea, the proposal for a Commission on Indian Affairs be tabled. In its place, the LJIAC

recommended to the Legislative Council and the 57th Legislature that a separate State-Tribal Relations Committee be created that would assume the LJIAC's state-tribal liaison responsibilities.

The STRC, as we know it today, was established during the 2001 legislative session with the passage of Senate Bill No. 10.

INTRODUCTION

The draft work plan helps the State-Tribal Relations Interim Committee plan its interim and establish work priorities. When finalized, the work plan will provide guidance to the members, staff, and the public on how the committee will conduct its business throughout the interim. It will serve as a blueprint that allows the committee to complete its work prior to the September 15, 2024 deadline.

This draft work plan will assist the STRC in allotting the committee's budget for staff time and money. During the legislative interim, the committee may focus on one or more study topics, while also visiting with tribal governments to learn about tribal issues of concern.

Based on the decisions made at the July 19, 2023 STRC meeting, staff will develop detailed work plans for each study topic and timetables for completing each major task.

In this document you will find:

- A description of potential work plan topics and committee resource allocation
- A list of potential meeting agenda items
- A proposed meeting schedule

POTENTIAL WORK PLAN TOPICS

It is vital to remember that while the interim spans 14-15 working months, the capacity of any interim committee is finite and limited by the committee's budget and meeting time, as well as staff workload. As the committee discusses additional topics, the guiding principle will be the need to communicate clearly what topics are priorities and to what degree the committee wishes to explore these topics. Realistically, the committee can cover a few topics at great depth or a number of topics in a more cursory manner; it is not realistic to tackle many topics deeply. **There are approximately 1,800 total staff hours available for allocation, which includes all committee business.**

STUDY ASSIGNED BY LEGISLATIVE COUNCIL

HJ 1: Study on missing youth

Background: [This study](#) proposes is related to the problem of missing youth under 18 years of age in Montana, which has been a continuous issue addressed in recent legislative sessions. Currently, 80% of all missing persons in Montana are youth under 18 years of age.

The study resolution asks how the state of Montana can reduce the number of missing youth and increase the chances of quickly locating missing youth by:

- Studying the issue in collaboration with relevant state government agencies, youth organizations, tribal governments, the court system, and other stakeholders;
- Collecting information about missing youth cases and reasons why youth are reported missing;
- Examining data from the Youth Risk Behavior Survey;
- Analyzing data from specific subgroups of missing youth, including indigenous youth, youth in foster care, and youth who go missing more than once;
- Examining how other states and jurisdictions have attempted to reduce the number of missing youth and the amount of time for missing youth to be located, including whether those approaches could be applicable for Montana.

Legislative poll ranking: 4th out of 6 studies

Committee resources allocated: 10-30%

MEMBER ISSUES PROPOSED FOR STUDY

Law enforcement degree program (Sen. Webber)

Background: This study would examine the creation of a Law Enforcement bachelor's degree recognized by the Montana University System, Office of Commissioner of Higher Education, Montana Department of Justice, and Bureau of Indian Affairs Law Enforcement Services. The degree would award college credits for experience and training and require additional specialized training for tribal officers. The study would likely involve working with other legislative committees and staff (Law & Justice; Education).

Committee resources allocated: 10-30%

State recognition of the Turtle Mountain band of Chippewa Indians (Rep. Smith)

Background: In the 2023 session, [HJ 37](#) (F. Smith) proposed a study on state recognition of the Turtle Mountain Band of Chippewa Indians. The goals stated in the resolution were to determine impacts of state recognition on Montana members of the Turtle Mountain Band as well as possible benefits of state recognition to members and to

the state as a whole. The study resolution was approved by the Senate but did not pass through the House prior to adjournment. The STRC could opt this interim to conduct the study.

Committee resources allocated: 10-30%

Law enforcement operations (Sen. Small)

Background: This study might examine law enforcement operations on reservations in Montana, focusing on issues such as criminal jurisdiction, tribal relationships with the state and federal governments, and similarities and differences between tribal law enforcement structures in the state.

Committee resources allocated: 10-30%

OTHER TOPICS/STUDIES

Legislator/state employee training in State-Tribal relations

- Revision of *Tribal Nations in Montana: A Handbook for Legislators* and creation of condensed educational pamphlet
- Examine legislator and state employee training requirements, implementation, and impact, including the background behind [SB 233](#), which failed to pass in 2023.

Committee resources allocated: 5-10%

Issues surrounding PL 280

- Study PL 280 and examine related bills that failed to pass in 2023 ([SB 127](#), [HB 478](#), [HB 479](#))

Committee resources allocated: 5-10%

Other?

POTENTIAL MEETING AGENDA ITEMS

Meeting agenda items require minimal staff time to facilitate and do not count toward the FTE available to the STRC's study topics for the interim. The STRC may choose to receive overviews and updates on any or all of the below options, keeping in mind that some options may be allocated more or less meeting time than others depending on members' interest, available meeting time, complexity of the issue, and any emerging issues that the STRC chooses to respond to during the interim.

For planning purposes, it's recommended that the STRC prioritize which items it would like to include in future meeting agendas.

- 1) Updates on [HB 19](#) implementation (data gathering on tribal economic conditions by Department of Commerce State-Tribal Economic Development Commission)
- 2) Education issues
 - Monitor implementation of new IEFA and language preservation requirements under [HB 287](#) and [HB 338](#);
 - Study the background of education legislation that did not pass in the 2023 session
- 3) Inclusion of Tribal Historic Preservation Officers (THPO) in the State Antiquities Act
- 4) Monitor implementation of the Missing Persons Response Team grant program established with [HB 18](#)
- 5) Monitor/study ICWA and MICWA
- 6) Other?

DRAFT MEETING SCHEDULE

This draft meeting schedule is provided to give you an idea of the timeline that each study topic will need to fit into in order to complete the work on time. It is subject to final approval by the STRC.

In fulfilling its duties as a liaison with tribal governments, the STRC visited two to four reservations in past interims. However, the committee visited all reservations during the 2021-2022 interim.

The following schedule continues with the practice established during the last interim. The decisions about which reservations to visit and when are up to the committee's discretion and subject to coordination with the respective tribal government. **Please note that Zoom is not available for meetings outside of Helena.**

July 19, 2023	Meet in Helena. Organize the committee and prioritize the interim work plan.
September 14-15, 2023	Proposed meeting at Great Falls (Little Shell) & Rocky Boy Reservation. Meet in joint session with tribal governments. Adopt a final work plan and receive first installments of interim research.
November 9-10, 2023	Proposed meeting at the CSKT and Blackfeet Reservations. Meet in joint session with tribal governments. Continue through steps of the work plan.
January 11-12, 2024	Proposed meeting in Helena/Zoom. Continue through steps of the work plan/information gathering.

April 4-5, 2024	Proposed meeting at the Northern Cheyenne and Crow Reservations. Meet in joint session with tribal governments. Continue through steps of the work plan.
May 2, 2024	Proposed meeting in Helena/Zoom. Continue through steps of the work plan.
July 25-26, 2024	Proposed meeting at Fort Belknap and Fort Peck Reservations. Meet in joint session with tribal governments. Continue through steps of the work plan.
September 6, 2024	Proposed meeting in Helena/Zoom. Final approval of recommendations, reports, and any proposed legislation. Select bill sponsors.

Committee interim work must be completed September 15, 2024.